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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 20-MJ-70968 MAG
	)	
Plaintiff,	)	<b>STIPULATION AND <del>[PROPOSED]</del> ORDER</b>
	)	
v.	)	
	)	
CHEN SONG,	)	
	)	
Defendant.	)	
	)	

The United States, by its undersigned counsel, and defendant, by her undersigned counsel, hereby stipulate to and memorialize the following findings:

Defendant was charged by criminal complaint on July 17, 2020, and arrested on that complaint on July 18, 2020. She made her initial appearance in this district on July 20, 2020. On July 21, 2020, defendant was released on conditions. The parties are set for a preliminary hearing on September 9, 2020.

The parties request a continuance of the preliminary hearing from September 9, 2020, until October 7, 2020, at 10:30 a.m. The government has provided the defense with discovery. A continuance will provide the defense needed time to review discovery, investigate the facts, and discuss resolution of the case. The parties stipulate and agree that the time shall be extended time under Rule

1 5.1 for the preliminary examination until October 7, 2020, as there is good cause, taking into account the  
2 public interest in the prompt disposition of criminal cases. Additionally, the parties stipulate and agree  
3 that the time between September 9, 2020, and October 7, 2020, should be excluded under the Speedy  
4 Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B). Excluding time will allow for the effective  
5 preparation of counsel, taking into account the nature of the prosecution and the particular complexity of  
6 this case, and the ends of justice served by this delay outweigh the defendant's and the public's interest  
7 in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(B)(ii), (iv).

8  
9 DATED: September 1, 2020

/s/  
\_\_\_\_\_  
BENJAMIN KINGSLEY  
Assistant United States Attorney

11  
12 /s/  
\_\_\_\_\_  
EDWARD SWANSON  
AUDREY BARRON  
Counsel for Defendant Chen Song

~~[PROPOSED]~~ ORDER

For the reasons stated above, the hearing scheduled for September 9, 2020, is continued to October 7, 2020, at 10:30 a.m.

The Court finds that the exclusion of the period from September 9, 2020 to October 7, 2020, from the time limits applicable under 18 U.S.C. § 3161(b), is warranted; that the ends of justice served by the continuance outweigh the interests of the public and the defendants in the prompt disposition of this criminal case; and that the failure to grant the requested exclusion of time would deny counsel for defendant the reasonable time necessary for effective preparation and of counsel, taking into account the particular complexity of the case and the exercise of due diligence, and would result in a miscarriage of justice. *See* 18 U.S.C. § 3161(h)(7)(B)(ii), (iv).

For the same reasons, the Court also finds good cause to extend the time for a preliminary hearing from September 9, 2020, to October 7, 2020.

IT IS SO ORDERED.

DATED: September 2, 2020



HONORABLE LAUREL BEELER  
United States Magistrate Judge